

## HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
47505 .....	49 App.:2103(b).	Feb. 18, 1980, Pub. L. 96-193, §103(b), 94 Stat. 51; re-stated Sept. 3, 1982, Pub. L. 97-248, § 524(b)(3), 96 Stat. 696.

In subsection (a), before clause (1), the words “incur obligations to” are omitted as surplus.

#### § 47506. Limitations on recovering damages for noise

(a) GENERAL LIMITATIONS.—A person acquiring an interest in property after February 18, 1980, in an area surrounding an airport for which a noise exposure map has been submitted under section 47503 of this title and having actual or constructive knowledge of the existence of the map may recover damages for noise attributable to the airport only if, in addition to any other elements for recovery of damages, the person shows that—

(1) after acquiring the interest, there was a significant—

- (A) change in the type or frequency of aircraft operations at the airport;
- (B) change in the airport layout;
- (C) change in flight patterns; or
- (D) increase in nighttime operations; and

(2) the damages resulted from the change or increase.

(b) CONSTRUCTIVE KNOWLEDGE.—Constructive knowledge of the existence of a map under subsection (a) of this section shall be imputed, at a minimum, to a person if—

(1) before the person acquired the interest, notice of the existence of the map was published at least 3 times in a newspaper of general circulation in the county in which the property is located; or

(2) the person is given a copy of the map when acquiring the interest.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1286.)

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<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
47506 .....	49 App.:2107.	Feb. 18, 1980, Pub. L. 96-193, §107, 94 Stat. 53.

In subsection (a)(2), the words “for which recovery is sought have” are omitted as surplus.

#### § 47507. Nonadmissibility of noise exposure map and related information as evidence

No part of a noise exposure map or related information described in section 47503 of this title that is submitted to, or prepared by, the Secretary of Transportation and no part of a list of land uses the Secretary identifies as normally compatible with various exposures of individuals to noise may be admitted into evidence or used for any other purpose in a civil action asking for relief for noise resulting from the operation of an airport.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1287.)

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<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
47507 .....	49 App.:2106.	Feb. 18, 1980, Pub. L. 96-193, §106, 94 Stat. 53.

The words “land uses which are” are omitted as surplus. The words “civil action” are substituted for “suit or action” for consistency in the revised title and with other titles of the United States Code. The words “damages or other” are omitted as surplus.

#### § 47508. Noise standards for air carriers and foreign air carriers providing foreign air transportation

(a) GENERAL REQUIREMENTS.—The Secretary of Transportation shall require each air carrier and foreign air carrier providing foreign air transportation to comply with noise standards—

(1) the Secretary prescribed for new subsonic aircraft in regulations of the Secretary in effect on January 1, 1977; or

(2) of the International Civil Aviation Organization that are substantially compatible with standards of the Secretary for new subsonic aircraft in regulations of the Secretary at parts 36 and 91 of title 14, Code of Federal Regulations, prescribed between January 2, 1977, and January 1, 1982.

(b) COMPLIANCE AT PHASED RATE.—The Secretary shall require each air carrier and foreign air carrier providing foreign air transportation to comply with the noise standards at a phased rate similar to the rate for aircraft registered in the United States.

(c) NONDISCRIMINATION.—The requirement for air carriers providing foreign air transportation may not be more stringent than the requirement for foreign air carriers.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1287.)

## HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
47508(a) .....	49 App.:2122(a) (1st sentence words before last comma, last sentence).	Feb. 18, 1980, Pub. L. 96-193, §302(a), 94 Stat. 56.
47508(b) .....	49 App.:2122(a) (1st sentence words after last comma).	
47508(c) .....	49 App.:2122(a) (2d sentence).	

In this section, the word “providing” is substituted for “engaging in” for consistency in the revised title.

In subsection (a), the words “acting through the Administrator” and “acting through the Administrator of the Federal Aviation Administration (14 CFR part 36)” are omitted for consistency. Section 6(c)(1) of the Department of Transportation Act (Public Law 89-670, 80 Stat. 938) transferred all duties and powers of the Federal Aviation Agency and the Administrator to the Secretary of Transportation. However, the Secretary was to carry out certain provisions through the Administrator. In addition, various laws enacted since then have vested duties and powers in the Administrator. All provisions of law the Secretary is required to carry out through the Administrator are included in 49:106(g). Before clause (1), the words “If, by January 1, 1980, the International Civil Aviation Organization (hereafter referred to as ‘ICAO’) does not reach an agreement” and “commence a rulemaking to” and 49 App.:2122(a) (last